IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE G. BIKSHAPATHY
and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 946 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 24-12-2003 inW.P.M.P.No:33910 of 2003 in W.P.26793/03 on the file of the High Court.)

Between:
1. The Engineer in Chief, (I&CAD), Major Irrigation, Erramanjil, Hyderabac
2. The Superintendent Engineer, O&M Circle, N.S.L.C., Tekulapally, Khammam

..... APPELLANTS

AND

1. K.Venkateswarulu, s/o Veeraiah, C/o P.M.Vijay, H.No.2-9-391, Snehanagar, Hanmakonda
2 The Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal

.....RESPONDENTS

For the Appellants : GP FOR IRRIGATION

For the 1st Respondent : Mr. A.K. JAYAPRAKASH RAO

For the 2nd Respondent : GP FOR LABOUR

The Court Made the Following :

O R D E R: (per Honourable Sri Justice G. Bikshapathy)

This Writ Appeal is filed against the Order passed by the learned single Judge in W.P.M.P.NO.33910 of 2003 in W.P.No. 26793/2003. While admitting the Writ Petition, the leaqrned single Judge passed the following order.

Interim suspension on condition of

depositing 50% of the amount awarded within eight

weeks from today. On such deposit the respon-

dent workman is at liberty to withdraw the same

without furnishing any security."

Against the said order the present Writ Appeal has been filed.

2. The learned Government Pleader for Irrigation contends that if the amount is paid it will be difficult for them to recover the same in the event of success by the appellants. Therefore appropriate orders may be passed to safeguard the interest of the Government.

3. We are afraid we cannot accept the contention raised by the learned Government Pleader in as much as the employee has already been reinstated and now he is in service, therefore it would not cause any prejudice to the Government if the amount is paid. Thus we do not find any error in the order passed by the learned single Judge.

4. In the result, the Writ Appeal is dismissed. No costs.

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29-06-2004.

Deputy Registrar.

To

1. The Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal.
2. Two CCs for Government Pleader for Labour(O.U.T). High Court of A.P., Hyderabad.
3. Two CD copies.
4. Two CCs to Government Pleader for Irrigation, High Cdourt of A.P., Hyderabad.